

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JODIE WATSON,

Plaintiff,

v.

Case No. 2:17-cv-11978  
District Judge Gershwin A. Drain  
Magistrate Judge Anthony P. Patti

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER SETTING BRIEING SCHEULE AND, ALTERNATIVELY,  
REQUIRING PLAINTIFF TO SHOW CAUSE**

On June 21, 2017, Plaintiff, Jodie Watson (who is represented by counsel), filed this action under 42 U.S.C. §§ 405(g) and 1383(c)(3) for a review of a final decision of the Commissioner of Social Security denying her application for social security disability benefits. (DE 1.) On September 1, 2017, the Court issued its scheduling order, which required Plaintiff to file her motion for summary judgment by October 2, 2017. (DE 12.) To date, Plaintiff has not filed a motion for summary judgment or asked for an extension of time in which to do so. The Court notes that Plaintiff's counsel has an extensive history of failing to abide by this Court's briefing schedules in a series of cases of recent vintage, including at least

four before the Undersigned.<sup>1</sup> Plaintiff's counsel is advised that the normal press of business generally does not rise to the good cause standard required to exceed the Court's deadlines. *See Rainey v. U.S. Bank Nat. Ass'n*, No 11-2520, 2011 WL 4954154, at \*1 (E.D. Mich. Oct. 18, 2011).

The Court Orders that Plaintiff **SHALL** file her motion for summary judgment no later than **Thursday, October 12, 2017**. Defendant's response and motion will be due on or before **Friday, November 10, 2017**. Plaintiff **SHALL NOT** be permitted to file a reply brief, having forfeited that right by missing the Court's previously set deadlines.

In the event Plaintiff fails to strictly comply with the October 12, 2017 filing deadline contained in this Order, the Court will not accept any briefing from her, and Plaintiff's counsel will be required to appear in the my courtroom at a date and time to be set by the Court in person and with his client, to show cause as to why: (1) this case should not be dismissed; and, (2) sanctions should not be imposed.

**IT IS SO ORDERED.**

Dated: October 5, 2017

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The Undersigned has also issued show cause orders for missed deadlines in four other cases involving Plaintiff's counsel. (*See Watson v. Comm'r of Soc. Sec.*, No. 16-cv-14355 (E.D. Mich. May 2, 2017); *Brokaw v. Comm'r of Soc. Sec.*, No. 15-cv-13914 (E.D. Mich. Feb. 17, 2017); *Payment v. Comm'r of Soc. Sec.*, No. 15-cv-14426 (E.D. Mich. May 4, 2016); and *Malone v. Comm'r of Soc. Sec.*, No. 15-cv-10226 (E.D. Mich. Aug. 13, 2015)).

### **Certificate of Service**

I hereby certify that a copy of the foregoing document was sent to parties of record on October 5, 2017, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the  
Honorable Anthony P. Patti